



AGENDA

Carbondale Planning Commission
September 11, 2019
City Hall / Civic Center
200 South Illinois Avenue, Room 108
6:00 p.m.

- 1. Call to Order and Roll Call**
- 2. Approval of Minutes:** Minutes of August 7, 2019
- 3. Citizen Comments and Questions**
- 4. Report of Officers, Committees, Communications**
- 5. Public Hearings**

PC 20-03: Dr. Baker is requesting a Special Use Permit to allow the use of Professional Offices in an R2, Medium Density Residential, Zoning District.

- 6. Old Business**

None

- 7. New Business**

A. City Council Agenda from August 13, 2019 and August 27, 2019.

- 8. Adjournment**



MINUTES

Carbondale Planning Commission
Wednesday, August 7, 2019
Room 108, 6:00 p.m.
City Hall/Civic Center

Mr. Burnside called the meeting to order at 6:00 p.m.

Members Present: LeBeau, Henson, Hamilton, Burnside, Love, and Bradshaw (ex-officio)

Members Absent: Miller, Sheffer, Litecky, Lilly

Staff Present: Wallace and Burns

1. Approval of Minutes:

Mr. Love moved, seconded by Dr. LeBeau, to approve the minutes for March 20, 2019.

The motion to approve the minutes passed with a unanimous voice vote.

2. Citizen Comments or Questions

There were none

3. Report of Officers, Committees, Communications

There were none.

4. Public Hearings

PC 20-02 6:02pm,- John Deas is requesting the rezoning of property located at 801 North Almond from an R-1-5, Low Density Residential, to an NB, Neighborhood Business, District.

Dr. Burnside declared Public Hearing PC 20-02 open and asked Mr. Wallace to read the legal notice.

Chris Wallace, Director for the City of Carbondale, read the legal notice.

Dr. Burnside asked Ms. Burns to read the staff report.

Ms. Burns read parts A and B of the staff report.

Dr. Burnside asked if there were any questions of staff.

There were none.

Dr. Burnside asked if the applicant was present and wished to speak.

The applicant is present, but did not wish to speak.

Dr. Burnside asked if there were any questions for the applicant.

There were none.

Dr. Burnside asked if anyone wished to speak in favor.

There were none.

Dr. Burnside asked if anyone wished to speak in opposition.

Yolanda Simon of 904 N. Almond, asked what the business would be used for and is expressed concern over more traffic in the neighborhood that the business would cause. Ms. Simon is also concerned with kids using the back door/ ramp area as a skate park.

John Deas came forward to give a description about the business and also stated that he would like to renovate the building so it's not an eye sore in the community. Mr. Deas also said he would like to keep regular business hours Monday thru Friday will one full time employee and three part time employees. Mr. Deas said that his business will not be open to the public and is installing security features to prevent the public from walking in. He also stated that there will be metal gates installed to prevent the local kids from using the back area as a skate park. Mr. Deas stated that the only traffic would be from UPS, USPS and the employee's coming to and from work.

Ms. Simon asked if this business decides to leave, does the zoning stay the same.

Mr. Wallace stated that if the new business does not fall under the new zoning the new owner would have to come back to the Planning Commission.

Donna Glaub, of 815 N. Almond, reiterated the question from Ms. Simon. Mr. Wallace stated that any new business would have to come back to the Planning Commission.

Ms. Burns read Part C of the staff report for PC 20-02, with a recommendation of approval.

Dr. Burnside asked if the Commissioners had questions for staff.

There were none.

Dr. Burnside asked if there were questions from anyone to anyone.

Frances Glaub of 815 N. Almond asked if the Planning Commission had the power to change the zoning outcome within the year or so. Mr. Wallace stated that the only way that the zoning would change would be if the applicant came back to the commission and requested a change.

Dr. LeBeau asked where the business ships to. Mr. Deas stated that they ship all over the world.

Dr. Burnside declared PC 20-02 closed and asked for a motion on the findings of fact.

Mr. Love moved that the Commission accept as findings of fact Parts A and B of the staff report for PC 20-02, the applicant was present, and none spoke in favor, none in opposition, three people asked questions and one letter of inquiry, seconded by Dr. Hamilton.

The motion was passed with a unanimous voice vote.

Mr. Love moved that the Commission recommend approval of the PC 20-02, seconded by Dr. LeBeau.

The motion was passed with a unanimous voice vote.

Mr. Wallace stated that the item will move forward with recommendation for approval of PC 20-02 and that the item would be on the City Council agenda for discussion at their meeting on August 27, 2019.

5. Old Business

There was none.

6. New Business

A. Review of the FY 2019 Annual Report.

Mr. Wallace went over the annual report that will go to city council to review.

B. City Council Agenda from March 26, 2019, April 9, 2019, April 23, 2019, May 14, 2019, May 28, 2019, June 11, 2019 June 25, 2019 and July 23, 2019.

Ms. Bradshaw reviewed the City Council meetings as they related to Planning.

6. Adjournment

Dr. Burnside adjourned the meeting at 6:20 p.m.



CARBONDALE

All Ways Open

Planning and Development Management

200 South Illinois Avenue

Carbondale, Illinois 62901

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www.explorecarbndale.com

M-E-M-O-R-A-N-D-U-M

TO: City of Carbondale Planning Commission

FROM: Molly Maxwell, Planner *MM*

RE: PC 20-03, Request for a Professional Office Special Use Permit in an R-2, Medium-Density Residential, Zoning District, 305 South Oakland Avenue

DATE: September 6, 2019

(Planning Commission Public Hearing on Wednesday, September 11, 6:00 p.m.)

PART A. GENERAL INFORMATION

1. Applicant/Owner:
Dr. Douglas Baker
305 South Oakland Avenue
Carbondale, IL 62901
2. Requested Action: Dr. Baker currently has a Special Use Permit that allows for medical professional offices in an R-2, Medium-Density Residential, Zoning District, at his office at 305 South Oakland Avenue. He wishes to update his Special Use Permit to align with the Carbondale Revised Code. This action would ensure the allowance of a wider variety of professions, such as lawyers, accountants, bookkeepers, engineers, and architects. (Please refer to Exhibit A – Applicants' Brief)
3. Number of Notices Sent to Property Owners within 250 feet: There were twenty four (24) notices sent to property owners located within 250 feet of the subject property.
4. Size and Location: The subject property is located at 305 South Oakland Avenue and consists of one parcel totaling approximately .345 acres (15,031 square feet). (Please refer to Exhibit B – Photographs of Subject Property)
5. Existing Zoning: The subject property is zoned R-2, Medium Density Residential. The surrounding parcels to the North, East, South, Northeast, and Southeast, are all zoned R-1-5, Low Density Residential. The property across Oakland Avenue to the West, is zoned R-1-8, Low Density Residential. (Please refer to Exhibit C - Existing Zoning)

6. Existing Land Use: The subject property contains a small office building which has served as a dentist's office since its construction in 1964. There is a small parking lot, with 23 spaces. There is also an 8'x12' storage structure. Surrounding parcels all contain single-family dwellings, with the exception of the old fire station across Oakland Avenue. (Please refer to Exhibit D - Existing Land Use)
7. Comprehensive Plan: The 2010 Comprehensive Plan's Future Land Use Plan designates the subject property and the parcels directly to the North, East, and South, as Neighborhood Conservation/Restoration. (Please refer to Exhibit E - Future Land Use)
8. Zoning History: The subject property was originally zoned R-1-5, Low-Density Residential, with the adoption of the 1974 zoning ordinance, and rezoned to R-2, Medium-Density Residential, with a Special Use Permit, in 1980 (PC 80-20).
9. Applicable Regulations:

Statement of Intent of Existing Zoning District:

§15.2.12.1 R-2 Medium Density Residential District

Statement of Intent:

- A. This district is established to provide areas for single-, two-, three-, and four-unit residential purposes. Persons and families residing in this district are entitled to protection from the encroachment of other types of uses which are not appropriate to medium density residential areas.
- B. In relation to R-1 (low density residential) districts, the R-2 district is intended to provide for higher traffic flow; maintain a relatively quiet atmosphere; discourage incompatible uses; provide less, but adequate open space. Care has been taken and shall be taken in the delineation and expansion of this district to assure that adequate public water is available and that individual sewage disposal systems will not be required.

Special Uses:

§15.2.3.5.A After a public hearing before the Planning Commission, the City Council may permit as special uses any of the uses shown with an "S" (for "Special Use") in the R-2 column on the use table in §2.28. [Note that the R2 column has an "S" for Professional Offices in Table §2.28]

§3.3.1 Standards for Special Uses

General Standards

1. All special uses are subject to the general standards for height, setback, signs, parking and other matters, as applicable to the district in which the use is located.
2. Approval of special uses may be subject to reasonable conditions imposed through the approval process to ensure compatibility between the proposed use and the permitted uses in the district.

Definition of 'Professional Office' in Title 15 of Carbondale's City Code:

PROFESSIONAL OFFICE: The office of a member of a recognized profession maintained for the conduct of business in any of the following related categories: architectural, engineering, planning, law, interior design, accounting, insurance, real estate, travel, medical, dental, optical or any similar type of profession.

(Please refer to the Zoning Ordinance for additional zoning district regulations.)

PART B. SPECIAL INFORMATION

1. Public Utilities:

Water: There is a six inch (6") City of Carbondale water line located along West Walnut Street, as well as an eight inch (8") waterline immediately West of the subject property along South Oakland Avenue.

Sanitary Sewer: The subject property has access to a twelve inch (12") City of Carbondale sanitary sewer line that runs along Oakland Avenue as well as an eight inch (8") line along West Walnut Street.

Storm Sewer: Storm water is handled via a City of Carbondale managed storm sewer located along South Oakland Avenue.

2. Public Services: The parcel is located within Carbondale City limits and is served by the City of Carbondale Police and Fire Departments.

3. Traffic Counts: The current Illinois Department of Transportation Traffic Map provides the following average daily traffic counts in the immediate area:

	<u>Average Daily Traffic</u>
South Oakland Avenue	4,750 ADT
West Walnut Street	13,800 ADT

4. Correspondence Received: As of the writing of this report, Staff has received two phone calls seeking clarification on this Special Use request.

PART C. ANALYSIS

In 1981, the Carbondale City Council approved a resolution granting G.M. Brown and T.R. Thalman a Special Use Permit to establish and operate a professional office limited to the following professions: Chiropractors, Dentists, Optometrists, Physicians, and Podiatrists. The building has operated as a dentist's office since its construction in 1964.

The current owner, Dr. Douglas Baker, would like to update the Special Use Permit to align with current standards. A broader Professional Office Special Use Permit would allow for the medical professional offices that are currently allowed, but would expand to also permit architectural,

engineering, planning, law, interior design, accounting, insurance, real estate, travel, and other similar professions.

The space has aptly operated as a dentist's office within its community for 55 years, and for 40 years under its current zoning and Special Use Permit. Dr. Baker reports having no issues occur in the neighborhood and the Planning Division has no complaints or code violations on file. The dentist's office holds regular business hours, 7:30 am to 4:30 pm Monday through Thursday, and generally operates with three to four staff members. Including patients, there are rarely more than eight to nine cars in the parking lot. The two entrances to the parking lot and ample parking spaces allow for smooth traffic flow in and out of the parking lot. As the parcel lies on the edge of its residential zone close to a heavily trafficked intersection, the office does not draw more traffic into the depths of the neighborhood.

The occupations that would be allowed with the update of the Special Use Permit do not raise any concerns of increased traffic, late hours, or loud noise. Updating the Special Use Permit to align with the City's current standards will make it easier to market and sell the facility in the future, and opens opportunities for a wider variety of professionals to work in Carbondale.

When considering an application for any Special Use Permit, the Commission must take seven criteria into account (§15.6.8.2.C.1). The following are Staff's responses to these criteria:

1. *The proposed special use will permit and encourage an environment of sustained desirability and stability, and that it will be in harmony with the character of the surrounding neighborhood.*

The expansion of the special use already in place will not cause significant change to the current land use. No significant issues have arisen during the operation of the building as a dentist's office, and it is likely this trend would continue with any other professional use.

2. *The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.*

The subject property has operated as a dentist's office within this residential community since 1963 with no issues. Staff does not anticipate that other suggested uses will be detrimental to, or endanger, the public health, safety, or general welfare.

3. *The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminish and impair property value within the neighborhood.*

As there have been no such concerns with the property operating as a dentist's office, it is not likely that another professional office would diminish property values or be injurious to the enjoyment of surrounding properties.

4. *The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*

As the subject property and the surrounding neighborhood have been largely developed for decades, it is staff's opinion that the approval of this special use will not limit future development or improvement of surrounding properties.

5. *Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.*

The utilities, access roads, drainage, and other necessary facilities are currently being provided to the subject property.

6. *Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.*

As the subject property is already a functioning business within the community, adequate measures to provide ingress and egress to minimize traffic congestion in the public streets currently exist.

7. *The special use will be located in a district where such use may be permitted, and shall conform to all requirements of this Chapter.*

Professional Offices are a permitted use in an R-2, Medium Density Residential District. The approval of this special use will conform to the requirements of this chapter.

PART D. RECOMMENDATION

Based on the analysis presented in this report, Staff recommends approval of PC 20-03.

Exhibit A

August 8, 2019

Chris Wallace

City of Carbondale Planning Dept.

200 S. Illinois Ave.

Carbondale, IL 62901

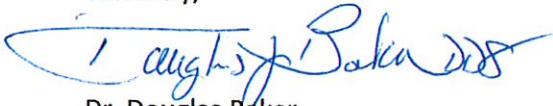
Dear Mr. Wallace,

At this time an office for dentistry has been located at 305 S. Oakland St. for over 40 years. The location was zoned R2 with a Special Use Permit for a Dentistry office and was issued on February 4th 1981, PC 80-20. The office has coexisted with the neighborhood all these years with no issues.

I would like to request a change from just a Dentistry Office Special Use to a Professional Office Special Use Permit in the R2 zoning district. The new special use request would be more consistent for future professional office use. That use could be for an attorney, accountant, medical, engineering, etc. which would have the same compatibility that currently exists.

Rolf Schilling has been hired by me to act as my agent. Attached is the city application for the Special Use.

Sincerely,



Dr. Douglas Baker

Exhibit B – Photographs of Subject Property



View facing West away from subject property across South Oakland Avenue



View facing subject property across South Oakland Avenue

Exhibit B – Photographs of Subject Property



View facing South along South Oakland Avenue



View facing North along South Oakland Avenue

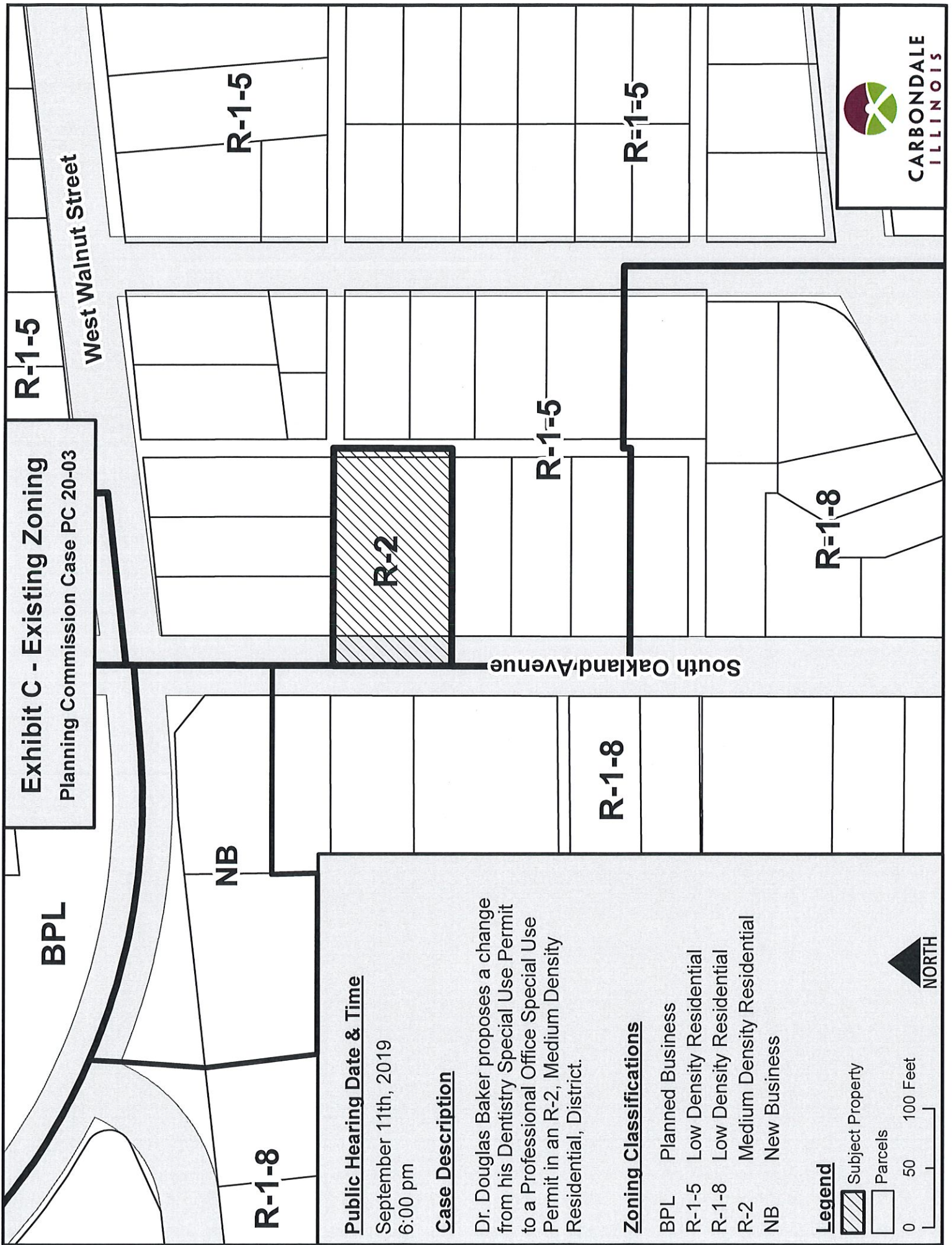


Exhibit C - Existing Zoning
Planning Commission Case PC 20-03

R-1-5

West Walnut Street

R-1-5

R-1-5

R-1-8

R-1-5

R-2

South Oakland Avenue

R-1-8

NB

R-1-8

Public Hearing Date & Time

September 11th, 2019
6:00 pm

Case Description

Dr. Douglas Baker proposes a change from his Dentistry Special Use Permit to a Professional Office Special Use Permit in an R-2, Medium Density Residential, District.

Zoning Classifications

- BPL Planned Business
- R-1-5 Low Density Residential
- R-1-8 Low Density Residential
- R-2 Medium Density Residential
- NB New Business

Legend

- Subject Property
- Parcels

0 50 100 Feet



Exhibit D - Existing Land Use

Planning Commission Case PC 20-03

P

M

S

S

West Walnut Street

South Oakland Avenue

S James St

C

S

S

S

S

S

C

S

S

S

S

S

S

S



CARBONDALE
ILLINOIS

Public Hearing Date & Time

September 11th, 2019
6:00 pm

Case Description

Dr. Douglas Baker proposes a change from his Dentistry Special Use Permit to a Professional Office Special Use Permit in an R-2, Medium Density Residential, District.

Zoning Classifications

- C Commercial
- M Multi-Family Residential
- P Public and Civic Use
- S Single Family Residential

Legend

- Subject Property
- Parcels

0 50 100 Feet



NORTH

Commercial Restoration

Exhibit E - Future Land Use
Planning Commission Case PC 20-03

West Walnut Street

S James St

Neighborhood Conservation

Neighborhood Conservation/Restoration

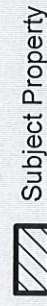
Public Hearing Date & Time

September 11th, 2019
6:00 pm

Case Description

Dr. Douglas Baker proposes a change from his Dentistry Special Use Permit to a Professional Office Special Use Permit in an R-2, Medium Density Residential, District.

Legend



Subject Property



Parcels

0 50 100 Feet



CARBONDALE
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